IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 24938 of 2004

Between:

Maharna Venkata Sarma S/o.Prabhakara Rao
48-11-6/6, Sai Street, Currency Nagar,Vijayawada,
Krishna Dist.

..... PETITIONER

AND

1 The Commissioner of Mincipal Corporation of Vijayawada,Krishna Dist.
2 The Executive Engineer-IV, (Drainage) Muncipal Corporation of Vijayawada, Patamata,Vijayawada, Krishn a Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of writ of mandamus, declaring the action taken by the respondents in proposing to erect sewage pumping station in the open space earmarked in LP No.13/83/VGT-UDA, situated at Currency Nagar, Gunadala, Vijayawada, and consequently restrain the respondents not to erect a sewage pumping station in the open space covered under LP.No.13/83/VGT-UDA and further directing the 1st respondent to develop the said open space as part.

Counsel for the Petitioner:MRS.S.SASIKALA

Counsel for the Respondent Nos.1 and 2: MR.T.S.VENKATA RAMANA

The Court at the admission stage made the following Oral Order: (per Sri

Devinder Gupta, CJ)

This petition cannot be considered as “Public Interest Litigation”, since the petitioner himself has stated that he is highly interested in the land in question being entitled to use it. Therefore, in case, petitioner has any grievance he has to seek his remedy in accordance with law.

Learned Standing Counsel for the respondent-Corporation, however, states that similar Writ Petition for similar relief, namely, Writ Petition No.24514 of 2004 was dismissed after facts were brought on record.

Hence, this writ petition is also dismissed. No costs.

_____

DEVINDER GUPTA, CJ

Date: 30th December, 2004

_____

M. NARAYANA REDDY,J

Pnb

To

1 The Commissioner of Municipal Corporation of Vijayawada, Krishna Dist.
2 The Executive Engineer-IV, (Drainage) Municipal Corporation of Vijayawada, Patamata,Vijayawada, Krishn a Dist.

3. Two C.D. copies